

EXHIBIT 14
DATE 4.3.07
SB 78

March 8, 2007

Montana House of Representatives, House Fish & Game Committee Members:

SUBJECT: SB 78

Honorable Chairman and Committee Members,

It is with deepest concern that I am today requesting that you vote against SB 78, as it has become very apparent, should this measure pass, litigation will be assured. As an example, I personally own a small place (we call it "the farm") outside of Big Timber on the Yellowstone River and Big Timber Creek, and while I have always viewed the original stream access laws as "a taking", I fully understand our current laws and have no problem with a friendly greeting to those who stop by on their floats down the River to use the River lands or the Big Timber Creek confluence below the high water mark. But our property also has a county road (Howie Road) running through the North end. This road has never been formally petitioned, conveyed or decreed and thus is, after much research by Sweet Grass County officials, considered to be there by prescriptive or historic use and thus the county and public is limited to use the road and the bridge extending across Big Timber Creek "only" as they have "historically".

In short, should SB 78 pass, I will, along with others, have no choice but to clearly defend my property rights, which I believe, may ultimately involve challenging current stream access laws.

In conclusion, there is today, a great many opportunities for the public to access our Montana streams and rivers. Should the public desire more access, let the agencies use current funding and programs to do so. In advance, my thanks to you for taking the time to hear my thoughts and for your "No Vote".

Sincerely,

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